

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 11115 of 2004

Between:

R. Subbha Rayudu, S/o. R. Anjeneyulu,
Aged about 58 years, R/o.H.No.12/265,
Ram Krishna Nagar,
Kurnool-II, Kurnool District.

..... PETITIONER

AND

- 1 The Regional Manager,
APSRTC, Kurnool Region,
Kurnool District.
- 2 The Depot Manager,
APSRTC, Kurnool-II Bus Depot,
Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondents in not fixing the pay of the petitioner's pay correctly and thereby not calculating the terminal benefits correctly is illegal, arbitrary and unjust and consequently direct the respondents to fix the pay of the petitioner by adding yearly increments and to pay the terminal benefits accordingly and pass such other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.Y.VIVEKANANDA SWAMY

The Court Made the Following :

ORDER:

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The present Writ Petition is filed declaring the action of the respondents in not fixing the petitioner's pay correctly and thereby not calculating the terminal benefits correctly as illegal and arbitrary.

The petitioner was retired from service in the year 2001. According to the writ petitioner, the petitioner's pay for the purpose of calculation of pension has not been correctly done and also the respondent-Corporation have not calculated the terminal benefits correctly. For that matter, the writ petitioner gave a representation dated 17-03-2003, on which no action has been taken.

It is contented by the learned counsel for the petitioner that a direction may be given to the respondent-Corporation to dispose of the representation of the petitioner dated 17-03-2003. The learned standing counsel appearing for the respondents contended that if the representation is pending, the same will be considered by the respondent-Corporation as per the rules and regulations of the Corporation.

It is not in dispute that the petitioner worked as a conductor in the respondent-Corporation till he retired on attaining the age of superannuation in the year 2001. The grievance of the petitioner is that his pay has not been fixed correctly and that his service benefits have not been fixed properly. It is for the respondents to fix the correct pay and correct terminal benefits. Therefore, a direction can be given to the respondents to pass appropriate orders on the representation of the petitioner dated 17-03-2003.

In the result, the writ petition is disposed of, directing the

respondent-Corporation to dispose of the representation of the petitioner dated 17-03-2003 and pass appropriate orders with regard to the pay of the petitioner and also calculation of the terminal benefits, within a period of six weeks from the date of receipt of a copy of this order. No costs.

02-07-2004

vs/ys

To

1. The Regional Manager,
APSRTC, Kurnool Region,
Kurnool District.
2. The Depot Manager,
APSRTC, Kurnool-II Bus Depot,
Kurnool District.
3. Two CD copies.

THE HON'BLE MR JUSTICE K.C. BHANU

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Dated: 02-07-2003